

## REMARKS/ARGUMENTS

Claims 1-59 were pending in the present application. The present response amends claims 1, 2, 4, 14, 34, 37, and 40, and cancels claims 6, 10, 35-36, and 38-39, leaving pending in the application claims 1-5, 7-9, 11-34, 37, and 40-59. Reconsideration of the rejected claims is respectfully requested.

### **I. Finality of Office Action**

There is conflicting information as to the finality of the Office Action, as the Office Action Summary (Form PTOL-326) states the Office Action is non-final, while the Examiner's comments on page 27 indicate that the Office Action is Final. The Examiner indicated during the phone interview of November 18, 2004, that the Office Action is intended to be Final, and recommended that the Office Action should be treated as a Final Action. Applicants are therefore proceeding with the understanding that the Office Action is Final.

### **II. Examiner Interview Summary**

A telephone interview was conducted at 2:00 EST on November 18, 2004 including Applicants' representatives Brian Keating and Jason Lohr and Examiner Nguyen. The Examiner's courtesy during the interview was appreciated. During the interview the differences between the Applicants' invention, such as is recited in claims 1 and 2, and the *Laurin* reference were discussed. Particularly, the differences discussed included the ability to display potentially related, previously-submitted suggestions to the submitting party, whereby the submitting party can comment on the displayed suggestions and/or select suggestions that the party deems to be similar to the party's new suggestion, such that the selected suggestions will be linked and cross-referenced to the party's suggestion. While no final agreement was reached on the claims, the Examiner indicated that clarifying these differences in the claims would appear to distinguish the present invention over *Laurin*.

### **III. Rejection under 35 U.S.C. §102**

Claims 2-8, 10-12, 37, and 39 are rejected under 35 U.S.C. §102(e) as being anticipated by *Laurin* (US 2002/0107722).

Claim 2 as amended requires 2 an apparatus for receiving and processing suggestions, defined by:

- a central portal for receiving a new suggestion from a submitting party;
- a plurality of innovation zones to which said new suggestion can be routed;
- a routing mechanism that routes said new suggestion to one or more of said innovation zones in response to an interaction with said submitting party;
- a search mechanism that automatically searches for previously-submitted suggestions that are potentially related to the new suggestion and displays the results of the search to the submitting party; and
- a selection mechanism allowing the submitting party to comment on any of the displayed previously-submitted suggestions, and allowing the submitting party to select any of the displayed previously-submitted suggestions that the submitting party determines to be similar to the new suggestion, whereby the new suggestion is linked to any previously-submitted suggestions that are selected by the submitting party, such that the selected previously-submitted suggestions will be cross-referenced with the new suggestion.

(*Emphasis added*). Such limitations are not disclosed by *Laurin*.

*Laurin* discloses the ability of an employee to “access an idea database” whereby the employee desiring to submit an idea can view “submitted ideas which are designated as public ideas.” By viewing these ideas, the employee can “better formulate responses” to the idea submission template “and can identify if there is duplication of the idea presently being considered for submission” (paragraphs [0054-0055]). *Laurin* does not automatically search for previously-submitted suggestions that are potentially related to the new suggestion and display those suggestions to the submitting party as required by claim 2. *Laurin* does not allow the submitting party to comment on any of these suggestions, as required by claim 2. *Laurin* does not allow the submitting party to select any of the previously-submitted suggestions as being similar to the new suggestion, as required by claim 2. *Laurin* also fails to disclose the selection resulting in the new suggestion being linked to the selected suggestions whereby the suggestions are cross-referenced, as required by claim 2. As such, claim 2 cannot be anticipated by *Laurin*. Claims 3-8 and 11-12 depend from claim 2 and also are not anticipated.

Claim 37 also requires, in part:

- means for automatically displaying previously-submitted suggestions to the submitting party that are potentially related to the new suggestion;
- means for allowing the submitting party to comment on the displayed previously-submitted suggestions; and
- means for allowing the submitting party to select any of the displayed previously-submitted suggestions that are deemed by the submitting party to be similar to the new suggestion, whereby the new suggestion is linked to the selected previously-submitted suggestions, such that the selected previously-submitted suggestions are cross-referenced with the new suggestion

As discussed above with respect to claim 2, such limitations are not disclosed by *Laurin*. As such, claim 37 cannot be anticipated by *Laurin*. Applicants therefore respectfully request that the rejection with respect to claims 2-8, 11-12, and 37 be withdrawn.

#### IV. Rejection under 35 U.S.C. §103

Claims 1, 9, 13-30, 32, 34-36, 38-56, and 58 are rejected under 35 U.S.C. §103(a) as being obvious over *Laurin* in view of *Schloss* (US 5,878,233).

Claim 1 requires an apparatus for receiving and processing suggestions for a company, defined by:

- a central portal for receiving a new suggestion from a submitting party on behalf of a receiving party;
- a plurality of innovation zones within said receiving party to which said new suggestion can be routed, wherein said innovation zones comprise any of:
  - a point of entry for employees within a specific business unit in a larger entity for submission of suggestions related to said business unit;
  - a point of entry for motivated submitters with an idea about how to change a business practice of said company;
  - a central point of entry for ideas and suggestions;
  - a point of entry for ideas on improving a specific aspect of said company; and
  - a point of entry for third party submissions;
- a routing mechanism for routing said new suggestion to one or more of said innovation zones in response to an interaction with said submitting party;
- at least one central database into which said new suggestion is categorized based upon key words;
- a viewing mechanism allowing for peer viewing and comment before a final decision is made regarding the new suggestion;**
- a response module that automatically sends an acknowledgement to said submitting party when the new suggestion is submitted by said submitting party, wherein said acknowledgement comprises any of a Web based response and an email message;
- a search mechanism that automatically searches for previously-submitted suggestions that are potentially related to the new suggestion and displays the results of the search to the submitting party;**
- a selection mechanism allowing the submitting party to select any of the displayed previously-submitted suggestions that the submitting party determines to be similar to the new suggestion;**
- a linking module that links said new suggestion to any of the displayed previously-submitted suggestions that are selected by the submitting party, whereby the selected previously-submitted suggestions will be cross-referenced with the new suggestion;**
- an acknowledgement module for automatic emailing of specific types of suggestions to specific areas of responsibility within said company;
- a status module that tracks progression of a suggestion through a review, comment, and approval process; and
- a statistics module that reports cumulative submissions in a predetermined format; wherein said mechanism comprises a page based dialog; and wherein said central portal comprises a Web page.

(*emphasis added*). As discussed above, *Laurin* teaches allowing a user to search for exiting ideas in order to better formulate responses regarding the new idea, or to abandon the new idea if there is an existing idea on the same topic. *Laurin* does not teach or suggest automatically searching for previously-submitted suggestions that are potentially related to the new suggestion and displaying the results to the submitting party, whereby the party can select any of the displayed suggestions that the submitting the party determines to be similar such that the selected suggestions are automatically linked to the new suggestion. *Schloss* does not make up for this deficiency in *Laurin*. *Schloss* teaches a system for controlling access to data located on content servers, such as servers for the World Wide Web (col. 1, lines 15-45). *Schloss* allows a user on a Web client to submit a request (suggestion) for an advisory on a URL (ID) having associated content to an advisory server, whereby a search is automatically undergone to determine whether the URL is in the queue to be evaluated, then a response is automatically sent to the user (col. 5, line 51-col. 6, line 10; FIGS 2, 3A). *Schloss* does not teach or suggest automatically searching for previously-submitted suggestions that are potentially related to the new suggestion and displaying the results to the submitting party, whereby the party can select any of the displayed suggestions that the submitting the party determines to be similar such that the selected suggestions are linked to the new suggestion. Combining *Laurin* and *Schloss* would not make up for the deficiencies in either reference with respect to claim 1 such that claim 1 should not be rendered obvious by *Laurin* and *Schloss*, either alone or in combination. Independent claims 14, 34 and 40 recite similar limitations that are neither taught nor suggested by the combination of *Laurin* and *Schloss*, and claims 9, 13, 15-30, 32, 41-56, and 58 depend from one of the above claims, such that none of these claims should be rendered obvious. Applicants therefore respectfully request that the rejection with respect to claims 1, 9, 13-30, 32, 34, 40-56, and 58 be withdrawn.

Claims 31, 33, 57, and 59 are rejected under 35 U.S.C. §103(a) as being obvious over *Laurin* in view of *Schloss* and further in view of *Ginn* (US 6,275,811). Claims 31 and 33 depend from claim 14, and claims 57 and 59 depend from claim 40, each of which is not rendered obvious by the combination of *Laurin* and *Schloss* for reasons including those discussed above. *Ginn* does not make up for the deficiencies in *Laurin* and *Schloss* with respect to these claims. *Ginn* discloses a feedback-based communication environment (col. 2, line50-col. 3, line 3) that is cited as teaching an incentive module that implements an incentive program (O.A. p. 26). *Ginn*

does not, however, teach or suggest automatically searching for previously-submitted suggestions that are potentially related to the new suggestion and displaying the results to the submitting party, whereby the party can select any of the displayed suggestions that the submitting party determines to be similar such that the selected suggestions are automatically linked to the new suggestion. Combining *Ginn* with *Laurin* and *Schloss* still would not make up for the deficiencies in either reference with respect to claims 14 and 40, such that claims 14 and 40, as well as dependent claims 31, 33, 57, and 59, should not be rendered obvious by *Laurin*, *Schloss*, and *Ginn*, either alone or in any combination. Applicants therefore respectfully request that the rejection with respect to claims 31, 33, 57, and 59 be withdrawn.

#### V. Amendment to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter to the specification.

#### VI. Conclusion

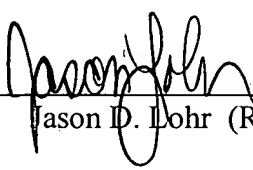
In view of the above, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the pending claims and a notice of allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-1703, under Order No. SCHB-3300. **A duplicate copy of the transmittal cover sheet attached to this Response to Office Action Mailed September 9, 2004, is provided herewith.**

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: December 1, 2004

By:   
Jason D. Lohr (Reg. No. 48,163)

Attorneys for Applicant(s)